REBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW

MAIL STOP RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:

Patent Application of

Robert Henry et al.

Group Art Unit: 1638

Appln. No.:

09/839,813

Examiner: Stuart Baum, Ph.D.

Filed:

April 20, 2001

Attorney Docket No.

Title:

NEW PLANTS FORMED BY

: 54195-5001

NOV 1 4 2003

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MICROPARTICLE BOMBARDMENT WITH UNCHARACTERISED DNA

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AFTER FINAL REQUEST FOR CONTINUED EXAMINATION (RCE) **UNDER 37 C.F.R. 1.114**

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above identified application in response to the Office Action mailed July 9, 2003 (Paper No. 14). Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- Enter the unentered Amendment previously filed on &@ under 37 CFR 1.116 in the []above application.
- An Amendment/Request for Reconsideration. [X]
- An Information Disclosure Statement, PTO-1449 and cited references.
- New formal drawings.
- [X] A Petition for Extension of Time to One Month for the pending application.
- Other: Declaration of Leonard Slade Lee Pursuant to 37 C.F.R. § 1.132 with list of [X] Eleven References, Eleven (11) References, and Certified Australian Priority Document

The following fees are enclosed:

- RCE fee of \$385.00 required under 37 C.F.R. 1.17(e). [X]
- Extension of time fee in the amount of \$55.00. [X]
- Additional claim fees of &@ for excess claims submitted in the enclosed Amendment, calculated as follows:

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					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	-	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	9	(-)	or 20	0	x9		x18	
INDEP.	1	(-)	or 3	0	x49		x80	
1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS		+\$135		+\$270				
					TOTAL	0.00	TOTAL	

- [] Firm check(s) totalling \$.00 is/are enclosed herewith.
- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-0310 (Billing No. **54195-5001**) as noted below. A duplicate copy of this sheet is enclosed.
 - [X] Any overpayments or deficiencies in the above-calculated fee(s).

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[X] RCE fee in the amount of \$385.00.

NOV 1 4 2003

[X] Extension fee in the amount of \$55.00

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- [] Additional claim fee(s) in the amount of \$___.00 as calculated above
- [X] Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.
- [] In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS

Respectfully submitted,

ROBERT HENRY ET AL.

November 7, 2003 By: (Date)

KATHRYN DOYLE, Ph.D, J.D.

Registration No. 36,317

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